

ZONING AND ADJUSTMENT BOARD

August 1, 2005

The Zoning and Adjustment Board of Sumter County, Florida convened on Monday August 1, 2005, at 6:30 P.M. with the following members present: Dale Nichols, Acting Chairman, Frank Szczepanski, Ron Berry, Richard L. Cole, Jr., Frank Topping, James Sutton and Dossie Singleton. Richard Bradley, Larry Story, Todd Brown, Rusty Mask and Evan Merritt were absent. Terry Neal- Zoning and Adjustment Board Attorney, Sandy Cassels- Board Secretary, and Roberta Rogers- Director of Planning and Development, were present.

The Board members led everyone in the pledge of allegiance and prayer.

Mr. Nichols presented the proof of publication.

Mr. Topping made a motion to approve the minutes from the July 18, 2005 meeting. Mr. Cole seconded the motion and the motion carried.

Mrs. Rogers read a letter of resignation from Mr. Bradley into the record. She requested some kind of certificate be made with each of the board members signatures, which was agreed upon by the board members present.

T2005-0028

Scott Hesler

Mr. Berry made a motion to remove this application from the table. Mr. Cole seconded the motion and the application was removed from the table.

No one was present for this application.

Mr. Topping made the motion to table this application until the end of tonight's meeting. Mr. Berry seconded the motion and the motion carried.

T2005-0033

Audrey Yacuzzo

Audrey Yacuzzo, applicant, was present and requesting the Renewal of Temporary Use Permit for a period of one year while a residence is being replaced due to hurricane damage. There were four (4) notices sent. Of the four (4) notices sent, one (1) was returned in favor and none were returned in objection. There were no objections from the audience. Mr. Topping questioned why this Temporary Use Permit was originally presented as a six (6) month Temporary Use Permit. Mrs. Rogers explained the mobile home should have been able to be replaced within the six (6) month time frame. Mrs. Yacuzzo explained she had some problems with the manufacturer and the Mobile Home was not delivered as originally agreed. Mr. Topping questioned Ms. Yacuzzo's current living arrangements. Ms. Yacuzzo explained she is living in a RV.

Mr. Topping made the motion to approve this temporary use permit based on the information provided in the staff report. Mr. Szczepanski seconded the motion and the motion carried.

R2005-0074

Matthew & Deborah Parsons

Cassie Brown, representative for the applicant, was present and requesting a rezoning of 1.04 acres MOL from A5 to RR1C. There were five (5) notices sent. Of the five (5) notices sent, none were returned in favor or in objection. There were no objections from the audience. Mr. Topping questioned Mrs. Brown about the type of dwelling on the property currently. Mrs. Brown explained there is a frame home on the property.

Mr. Topping made the motion to recommend approval of the requested rezoning to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Cole seconded the motion and the motion carried.

R2005-0076

James Woodard

Jeroh Woodard, representative for the applicant, was present and requesting a rezoning of 7.9 acres MOL from A5 and RR1C to RR1C for the purpose of a lineal transfer. There were eight (8) notices sent. Of the eight notices sent, one (1) was returned in favor and none were returned in objection. There were no objections from the audience. Mr. Topping questioned why 7.9 acres MOL is being rezoned when the parcel size is 8.9 acres MOL. Mrs. Rogers explained the application was in error and the 8.9 acres MOL should be rezoned.

Mr. Topping made the motion to recommend approval of the requested rezoning to the Board of Sumter County Commissioners based on the information provided in the staff report with the condition the additional 3.89 acres MOL be rezoned at the September 6, 2005 Zoning & Adjustment Board meeting. Mr. Cole seconded the motion and the motion carried.

R2005-0077

Reginald & Dorothy Wood

Reginald & Dorothy Wood, applicants were present and requesting rezoning of 5 acres MOL from RR5 to RR1 to complete a lineal transfer. There were five (5) notices sent. Of the five (5) notices sent, none were returned in favor or objection. There were no objections from the audience. Mr. Topping questioned who was receiving the lineal transfer and how much land was being transferred. Mr. Wood explained he was deeding his son 2 ½ acres MOL.

Mr. Topping made the motion to recommend approval of the requested rezoning to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Cole seconded the motion and the motion carried.

R2005-0078

G.A. Dicks, ETAL

Steve Richey, attorney and representative for the applicant, was present and requesting rezoning of 2.83 acres MOL from A5 & C2 to CL. There were 10 notices sent. Of the 10 notices sent, two (2) were returned in favor and none in objection. There were questions from the audience. Mr. Klaus, owner of the Wildwood KOA, questioned what would be developed on the property. Mr. Richey explained a Comfort Inn & Suites was going to be placed on the parcel. Mr. Klaus expressed his concern due to this location being directly across the street from an adult bookstore. Mr. Richey explained the proposed type of hotel, in which Mr. Klaus became in favor of. Mr. Topping questioned the number of units and stories to be built. Mr. Richey explained at the present time Comfort Inn & Suites would like to have 90 units with three stories. Mrs. Rogers explained the development review process regarding the number of units and gross stories that would be decided at that time.

Mr. Topping made the motion to recommend approval of the requested rezoning to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Cole seconded the motion and the motion carried.

R2005-0079

Steve & Joanne Magagnoli

Steve & Joanne Magagnoli, applicants were present and requesting a rezoning of 5.32 acres MOL from RR5 to RR1 to complete a lineal transfer. There were six (6) notices sent. Of the six (6) notices sent, none were returned in favor or objection. There were no objections from the audience. Mr. Topping questioned who was receiving the transfer and how much property was being transferred. Mr. Magagnoli explained the transfer was 2 acres MOL for their son to place a mobile home on.

Mr. Topping made the motion to recommend approval of the requested rezoning to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Cole seconded the motion and the motion carried.

S2005-0012

Brian Franzen

Tina Franzen-Andes, representative for the applicant, was present and requesting a Special Use Permit for the purpose of extra cages for circus animals. There were 13 notices sent. Of the 13 notices sent, two (2) were returned in objection and none in favor. There were no objections from the audience. Mrs. Rogers

read the letters of objection into the record. Mrs. Franzen-Andes explained the US Department of Agriculture and the Florida Fish and Game Commission check on her operation and have received no complaints. Mrs. Franzen-Andes also explained she adding is cages only, no land.

Mr. Topping made the motion to approve the Special Use Permit for extra cages for circus animals. Mr. Cole seconded the motion and the motion carried.

C2005-0003

Natural Resources of Central Florida

Cary Cohrs – General Manager of Natural Resources of Central Florida, Inc, John Koogler – PHD-PE, James Golden, and Anna H. Long, Attorney, were present and requesting a Conditional Use Permit for a cement plant. There were 17 notices sent. Of the 17 notices sent, none were returned in objection and none in favor. Mr. Manny Pesco, neighbor, was in the audience and had questions. Mr. Berry stated he and Mr. Cohrs had met to discuss the cement plant. Mr. Cohrs explained he had discussed the operation of the cement plant with the neighbors. The cement plant will employ approximately 90 people, hopefully from the Sumter County area. The plant should be in operation for approximately 150 years. Mr. Cohrs explained how cement is manufactured. Mr. Cohrs explained the materials will be shipped to the plant in enclosed trucks and the material will be around in an enclosed building. The hours of operation will be 24 hours a day, 7 days a week, with some of the days being for maintenance purposes. Mr. Sutton questioned the Mercury output. Mr. Koogler explained there is less than 122 pounds of Mercury output allowed per year. This plant is estimating approximately 50 pounds a year, in which most of the output would be gone by the time it reaches 2 ½ miles of the plant. The plant will have a fuel mixture of no more than 10% tires. Tires make the fuel burn hotter and use of any more than this percentage makes the cement too weak. Questions arose such as: Does the Department of Environmental Protection look into other plants in the area before they issue a permit? Will there be an overlap of Mercury? Is this plant similar to the plant at Mazak Mine? Mr. Cohrs explained he could not really compare the plants without looking at Mr. Mazak's. Mr. Szczepanski questioned the number of trucks going to and coming from the plant. There will be approximately 303 trips per day, which would include in & out traffic. The required traffic study will be done by an agency chosen by the county and paid for by the applicant.

Mr. Topping made the motion to recommend approval of the requested conditional use permit to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Cole seconded the motion. Mr. Nichols requested a roll call vote which was Mr. Topping – aye, Mr. Szczepanski – aye, Mr. Berry – aye, Mr. Singleton – aye, Mr. Cole- aye, Mr. Sutton – nay, and Mr. Nichols – nay. The motion carried with two votes in objection. The motion carried with two votes in objection.

T2005-0028

Scott Hesler

No one had arrived to represent the applicant. Mr. Topping made the motion to deny this request as it was tabled at two meetings due to no one being present. Mr. Singleton seconded the motion and the motion carried.

Mr. Berry made the motion to adjourn the meeting. Mr. Topping seconded the motion and the motion carried. The meeting adjourned at 7:50 P.M.

Larry Story, Chairman
Zoning and Adjustment Board